



0000116464

ORIGINAL

25A

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

WILLIAM A. MUNDELL
CHAIRMANJIM IRVIN
COMMISSIONERMARC SPITZER
COMMISSIONER

2002 JUL 29 P 3:24

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF:

BRIAN BAMMAN
14101 E. Andrew Drive
Fountain Hills, AZ 85268BAMEX INTERNATIONAL, LTD.
1221 E. Osborn Road, #105
Phoenix, AZ 85014

Respondents.

DOCKET NO. S-03391A-02-0000

Arizona Corporation Commission

DOCKETED

JUL 29 2002

DOCKETED BY

CAH

PROCEDURAL ORDER**BY THE COMMISSION:**

On June 12, 2002, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Brian Bamman and Bamex International, LTD. (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of commodity investment contracts.

The Respondents were duly served with copies of the Notice.

On June 24, 2002, a request for hearing was filed on behalf of all Respondents.

On June 27, 2002, by Procedural Order, a pre-hearing conference was scheduled.

On July 8, 2002, the Respondents filed a Motion to Stay ("Motion") the proceeding pending the resolution of a case presently before the Arizona Court of Appeals involving similar issues.

On July 15, 2002, the Division filed its response to the Respondents' Motion arguing that there was insufficient reason to stay the proceeding.

On July 25, 2002, counsel for the parties argued their positions on Respondents' Motion. Additionally, certain other procedural matters were discussed including the scheduling of a hearing and the exchange of witness and exhibit lists.

Under the circumstances, Respondents' Motion should be denied and a hearing scheduled on the allegations contained in the Notice. The parties should also exchange witness and exhibit lists not

1 later than 10 days prior to the hearing date agreed upon by the parties.

2 IT IS THEREFORE ORDERED that Respondents' Motion to Stay the proceeding be, and is
3 hereby, denied.


4 IT IS FURTHER ORDERED that a hearing on the Notice shall commence on September 30,
5 2002, at 9:30 a.m. at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

6 IT IS FURTHER ORDERED that the parties shall also set aside October 2 and 3, 2002 for
7 additional days of hearing, if necessary.

8 IT IS FURTHER ORDERED that if October 1, 2002 also becomes an available date for
9 hearing, the parties shall also reserve that date for hearing.

10 IT IS FURTHER ORDERED that witness and exhibit lists shall be exchanged not later than
11 10 days before hearing with copies being provided to the presiding Administrative Law Judge.

12 DATED this 29TH day of July, 2002.

13
14
15 
16 MARCE E. STERN
ADMINISTRATIVE LAW JUDGE

17 Copies of the foregoing were mailed/delivered
18 this 29th day of July, 2002, to:

19 Alan S. Baskin
20 ROSHKA, HEYMAN AND DEWULF
21 One Arizona Center
400 East Van Buren Street, Ste. 1000
Phoenix, AZ 85004
Attorney for Respondents


22 Moira McCarthy
23 Assistant Attorney General
ARIZONA ATTORNEY GENERAL'S OFFICE
1275 West Washington Street
Phoenix, AZ 85007

24 W. Mark Sendrow, Director
25 Securities Division
26 ARIZONA CORPORATION COMMISSION
1300 West Washington Street
Phoenix, AZ 85007

27
28 ...
...

1 ARIZONA REPORT SERVICE, INC.
2 2627 N. Third Street, Ste. Three
3 Phoenix, AZ 85004

4 By:


Molly Johnson
Secretary to Marc E. Stern